



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

CRS

Docket No: 6076-99

29 November 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 23 November 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 28 September 1962 at age 18. Your record reflects that you received two nonjudicial punishments. The offenses included absence from your appointed place of duty and dereliction of duty. Subsequently, on 19 September 1963 you made a written statement that you believed that you were pregnant. Consequently, on 19 September 1963 you received a general discharge by reason of convenience of the government due to pregnancy.

Character of service is based, in part, on one's conduct and overall trait averages, both of which are computed from marks assigned during periodic evaluations. Your conduct and overall trait averages were both 2.6. A minimum average conduct mark of 3.0 and a minimum overall trait average of 2.7 were required for a fully honorable characterization of service at the time of your separation.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your contention that you

were not pregnant at the time of discharge. However, the Board concluded that these factors were not sufficient to warrant recharacterization of your discharge given your two disciplinary actions and since both your averages were insufficiently high to warrant a fully honorable discharge. In this regard, you provided no evidence to support your contention or any reason why you signed a statement stating you were pregnant in order to be discharged. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director